

REMARKS

Applicants respectfully request reconsideration of this application as amended. Claims 31, 33, 36-39 and 41 have been amended to present the claims in better form for allowance and for possible consideration on appeal. Applicants respectfully request the Examiner to accept the proposed amendments. Claims 1-30 and 42-49 have been cancelled without prejudice. No new claims have been added. Therefore, claims 31-41 are now presented for examination.

35 U.S.C. § 112 Rejection

Claims 31-41 and 45-49 stand rejected under 35 U.S.C. 112, first paragraph. Claims 31 and 37 have been amended to obviate this rejection. Accordingly, Applicant respectfully requests the rejection be withdrawn.

35 U.S.C. § 102 Rejection

Claims 31-41 and 45-49 stand rejected under 35 U.S.C. §102(b), as being anticipated by Hammersley, U.S. Patent No. 6,618,783 ("Hammersley").

Applicants respectfully submit that Hammersley discloses "a method for a first processor that controls I/O traffic of *a first PCI bus* to acquire and relinquish control of *a second PCI bus* when a second processor for doing the same becomes inoperative." (col. 8, lines 13-17; emphasis provided). The two systems each include their own PCI bus 124(a) and 124(b). (see Figure 2, refs. 124(a) and (b)).

In contrast, claim 31, in pertinent part, recites "a first host system coupled to a bus . . . and a second host system coupled to the bus." (emphasis provided). Applicants

submit that Hammersley fails to teach or reasonably suggest such a feature. Hammersley includes two separate buses, one bus for each system (Figure 2, 124(a) and (b)); however, in contrast claim 1 recites “a first host system coupled to a bus . . . and a second host system coupled to the bus”. (emphasis provided). Accordingly, Applicants respectfully request the rejection of claim 31 and its dependent claims be withdrawn.

Claim 37 contains limitations similar to those of claim 31. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 37 and its dependent claims.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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